
**Technology, Energy & Communications
Committee**

E2SSB 5916

Brief Description: Regarding broadband adoption and deployment.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Rockefeller, Kauffman, Pridemore, Keiser, Marr, Hatfield, Delvin, Honeyford, Schoesler and Hewitt).

Brief Summary of Engrossed Second Substitute Bill

- Authorizes the Department of Information Services (DIS) to oversee implementation of broadband programs and receive federal funding.
- Directs the DIS to reconvene the 2008 High Speed Internet Strategy Work Group.
- Transfers the Community Technology Opportunity Program from Washington State University to the DIS.

Hearing Date: 3/19/09

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Background:

Federal Broadband Efforts.

In 2008 Congress passed the Broadband Data Improvement Act (BDIA). Part of the Act directed the Secretary of Commerce to make competitive grants available to states to support identification and tracking of availability and adoption of broadband services. Any competitive grants awarded would require a 20 percent match of non-federal funding.

The BDIA also required the Federal Communications Commission (FCC) to provide eligible entities with electronic access to aggregate data collected by the FCC from broadband service providers. "Eligible entity" is defined as an entity that is: (1) either a state agency or

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instrumentality of the state, a non-profit organization, or certain independent agencies; and (2) the single eligible entity designated by the state to receive such a grant.

The American Reinvestment and Recovery Act (ARRA) of 2009 provides \$4.7 billion in broadband funding through the Broadband Technology Opportunities Program (Program). The Program specifically provides: \$3.9 billion for infrastructure; \$250 million for competitive grants to encourage sustainable adoption of broadband service; \$200 million for expanding public computer center capacity; and \$350 million for the BDIA grant program and development of a national broadband inventory map. In addition, the ARRA provides \$2.5 billion for distance learning, telemedicine, and a broadband grant program.

State Broadband Efforts.

In 2008 the Department of Information Services (DIS) was directed to convene a High-Speed Internet Strategy Work Group (Work Group) to identify and develop strategies for high-speed internet deployment and adoption. The DIS and the Work Group released the strategy in December of 2008. The strategy included several recommendations, including recommendations that the state: (1) authorize the DIS to coordinate implementation of the high-speed internet deployment and adoption strategy; and (2) provide initial funding to support implementation.

The Legislature also created in 2008 the Community Technology Opportunity Program. The program is administered by the Washington State University Extension. The program administrator provides organizational, capacity-building, and fund-raising support for community technology programs throughout the state. A minimum of 75 percent of program funds are to be distributed through a competitive grant program. The grants are to be used by community technology programs to provide assistance in use of information and communication technologies among low-income and underserved residents, training, and other information technology-related services. Funds in the account may only be used for the operation of the program.

Summary of Bill:

The Community Technology Opportunity Program is transferred from Washington State University Extension to the DIS.

The authority to oversee broadband adoption and deployment efforts in the state is vested in the DIS. The only eligible entity to receive a grant under the federal Broadband Data Improvement Act (Act) in the state is the DIS. Federal funding received under the Act may be distributed by the DIS to other entities on a competitive basis.

The DIS is authorized to apply for and oversee implementation of federally funded or mandated broadband programs. These programs may include:

- contracting for and purchasing a completed map of broadband infrastructure;
- surveying residents, businesses, and non-profit organizations regarding use and adoption of high-speed internet and related information technology;
- identifying barriers to adoption;

- creating programs to improve computer ownership, technology literacy, and high-speed internet access in unserved or underserved areas; and
- administering the Community Technology Opportunity Program.

The DIS must reconvene the High-Speed Internet Strategy Work Group. The Work Group is renamed the Advisory Council on Digital Inclusion (Council). The Council is to report by January 15 of each year on: (1) how a variety of high-speed internet access alternatives could be established; (2) strategies for continued broadband deployment and adoption efforts and development of advanced telecommunications applications; (3) methods to maximize the state's research and development capacity for development of advanced telecommunications applications; (4) any regulatory barriers that may hinder the advancement of technology entrepreneurship; and (5) the effectiveness of digital literacy and computer access programs.

Government agencies engaging in mapping, deployment, or adoption activities related to high-speed internet infrastructure or services may gather or request any related proprietary or competitively sensitive information from providers of telecommunications or high-speed internet services, if the information is maintained in a confidential manner by a non-governmental third-party mapping entity and made available to the agency in aggregate form.

Appropriation: None.

Fiscal Note: Available on substitute bill. New fiscal note on engrossed second substitute bill requested on March 13, 2009.

Effective Date: The bill contains an emergency clause and takes effect immediately. However, the bill is null and void unless funded in the budget.